

To: Judge, US District Court  
To Clerk of Court

**FILED**

DISTRICT COURT OF GUAM

DEC 19 2005 7P

MARY L.M. MORAN  
CLERK OF COURT

Fr: Ernesto M. Alvarez  
CF0467-02

W-05-00036

Re: Conspiracy to Commit  
Perjury

Your Honor,

When Immigration Judge Hon. Reyna Kramer were reading the Plea agreement, I noticed the defect.

The Superior Court judge Steven S. Unpingco, prosecutors Dianne Cokkett and my defense counsel entered into a conspiracy by altering the wording on page 2, 3 and 7 of the plea agreement submitted to the JWS.

- In the 2nd plea I signed, on page 7, it's like, 'If and when the defendant is not deported, the defendant shall serve (5) years at the Department of Corrections... Here, I made a complain to Guam Judicial Council/Board and I gave the copy of my 1st plea agreement to the Ethics Prosecutor. I told them that, the 1st plea doesn't say on page 7, letter (j), 'If and when the defendant is not deported... I also mentioned that the court, AG and defense counsel has nothing to do with 'Deportation', it's the JWS/Federal who has the jurisdiction on 'Deportation' issue.

- When JWS gave me a copy of plea agreement, all I did is look at page 7, letter (j) this time it says, 'Once the Defendant is deported, or otherwise removed,.....

I thought I was released, but instead they moved the wording to page 3.  
(Top portion).

I wrote Judge Reyna, I told her that Superior Court and the AG committed a 'falsification of public document' and I asked if FBI can investigate and process my complaint. So, it means, that there's a contrivance of public officials by submitting

an evidence they know that it was perjured. The worst is that, Superior Court of Guam is submitting it to a Federal Court. This is a violation of Ethics in the highest level.

- Hears on page 2, 5(a) That as to the charge of Attempted Murder (As a 1st Degree Felony), the Defendant shall be sentenced to fifteen (15) years imprisonment at the Department of Corrections, with all but three (3) years shall be suspended to permit the commencement and conclusion of ongoing deportation proceedings against the... (page 3) Defendant. In the event that Defendant is not deported, Defendant shall serve the remainder of the sentence which has been suspended.

The two plea-agreements in my possession I signed:

1. I mailed the first plea to the 'Ethics prosecutors', Atty. Alberto Tolentino.  
Suite 104 Calvo & Arriola Prof. Bldg.

259 Martyr St. Hagatña, Guam 96910

2. I mailed the 2nd plea to my sister HERMINIA ALVAREZ - TEL (669) 948-6124  
PMB 180

4364 BONITA Rd.

BONITA, CA. 91902

They can be contacted just to make comparison of a plea-agreement.

The plea-agreement regardless of what language it uses is unconstitutional, invalid and void, it constitutes multiple punishments. It's an ex post facto, it violates the 8th amendment, it's excessive, the punishment is no longer proportion to the offense.

I know I am right and the law is on my side. My Constitutional Challenge / asserted in Guam Judiciary is a 'landmark', it goes beyond the curative powers of Court's instructions.

Hundreds and hundreds of Chamorro Citizens and U.S. inhabitants were deprived of their rights and immunities secured and protected by 14th amendments and Federal Law. They have suffered by 'Miscegenation of law and justice' through false imprisonment, fraudulent trial and wrongful conviction since the time judges of Superior Court of Guam served the bench by malicious prosecutions, of 'Illegal or defective indictments'. The statute may be valid, but their classification of an offense is void when it comes to same crime.

Sincerely,  
Chiraf 12/13/05